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July 17, 2018

VIA E-FILING

The Honorable Vince Chhabria
United States District Court, San Francisco Courthouse
Courtroom 4, 17th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

Re: *In re: Facebook, Inc. Consumer Privacy User Profile Litigation*, No. 18-md-02843

Dear Judge Chhabria,

As requested by Pretrial Order No. 3 (ECF No. 76), this letter identifies (1) the core team of litigators from Bleichmar Fonti & Auld LLP (“BFA”) whom we propose litigate this matter, and (2) my leadership experience as lead or co-lead counsel in matters pending in the Northern District of California.

Description of BFA’s Core Team

If appointed, my partner and firm co-founder Javier Bleichmar will support my critical and strategic decisions in this case. Javier started his career at Kirkland & Ellis LLP and has more than twenty years’ experience litigating complex class actions worth hundreds of millions of dollars at distinguished firms with outstanding results. He rightly holds a reputation for excellence, good judgment and professionalism, evidenced by the early success of the firm.

Sara Simnowitz, also from our New York office, joined the firm from Arnold & Porter LLP, where she specialized in complex litigation. Sara provides significant support to me on a day-to-day basis as we develop and execute litigation strategy in our cases, and she will play a similarly significant role in this case. Sara has worked primarily with the consumer team since we opened the Oakland office, participating meaningfully in *In re Volkswagen “Clean Diesel” Marketing, Sales Practices, and Products Liability Litigation* (N.D. Cal. 15-md-02672), *In re Chrysler-Dodge-Jeep Ecodiesel Marketing, Sales Practices, and Products Liability Litigation* (N.D. Cal. 17-md-02777), and *In re German Automotive Manufacturers Antitrust Litigation* (N.D. Cal. 17-md-02796).

Our firm’s consumer and antitrust team is based in Oakland, California. If appointed, this case will be litigated primarily by four additional lawyers, in addition to Javier, Sara and me. Matthew Weiler and Josh Samra undertook much of the initial legal and factual research, respectively, as we analyzed and decided upon which claims to pursue in this matter. Matthew began his career at Dewey Ballantine LLP and then Morgan Lewis & Bockius LLP in San



Francisco; he has over ten years' experience litigating complex class actions on both the defense and plaintiff's side. Matt's deep strength lies in factual and legal analysis. Josh joined the firm from the District Attorney's office in California's Contra Costa County. He has demonstrated a zeal and commitment to the case and its complexity by poring through thousands of pages of disclosures, testimony and other materials. We are a firm that believes opportunities are earned through hard work and diligence, and Matt and Josh have proven themselves in this case already.

Emily Aldridge, who joined the firm from Gibson Dunn & Crutcher LLP after a Second Circuit clerkship, lends important analytical and writing skills to the team. She is a detail-oriented, extremely responsible advocate who has undertaken significant, complex projects in her cases and won the respect of co-counsel in doing so. Britt Cibulka, a twenty-year litigator formerly of Wilson Sonsini Goodrich & Rosati and Google, lends invaluable ability to manage electronic document review, an increasingly important aspect of modern litigation in massive cases, especially one of this nature. Britt plays an important role in every case she touches by bringing key facts to the fore.

The work of this team will be supported as needed by remaining members of our west coast office. This includes document analysts also formerly of Google and Wilson Sonsini Goodrich & Rosati and other talented attorneys with years of experience analyzing complex class actions who have worked with our firm for significant periods of time. We are an efficient, determined and motivated group of lawyers.

The biographies of the proposed core team are attached in Exhibit A.

Cases in the Northern District of California in Which I Have Served as Lead or Co-Lead Counsel

1. *In re Inductors Antitrust Litig.*, Case No. 5:18-cv-00198-EJD, pending before the Hon. Edward J. Davila.

On April 27, 2018, BFA was appointed co-lead counsel, together with the law firm Hausfeld LLP, in this antitrust litigation which alleges that certain manufacturers of passive electronic components called inductors conspired to and did fix prices of those products from the time period 2003-2016. Co-lead counsel has filed its consolidated complaint and defendants' motion to dismiss will likely not be heard until the end of the year.

BFA has more than enough staff and resources to manage its commitment to that litigation and conduct this matter as well. Matt Weiler and I are the two attorneys working on the matter currently. As previously noted, our firm carefully analyzes its ability to commit to cases, and we have embarked on the application process in this action with a clear vision of what it will take to lead it.

2. *Doe v. Successful Match.com*, Case No. 11-cv-21120 (Cal. Superior Court, Santa Clara Cty.), before the Hon. Carrie A. Zepeda (resolved).

In 2014, with my partner Robert Green, I tried an action in Santa Clara County against an internet company that violated the terms of its confidentiality agreement with its subscribers, precisely the claims asserted here. This is one of very few data privacy actions to reach trial. I



performed both opening and closing statements in that trial, and the jury awarded a 100% economic recovery, with a punitive damages award of fifteen times economic damages.

3. *Reyna v. Homejoy*, Case No. 3:15-cv-03405-EMC, before the Hon. Edward J. Chen (resolved).

This case brought claims against Homejoy, Inc., a company which provided housecleaning services. The gravamen of the claims was that defendant Homejoy misclassified its workers as contractors when in fact they were employees. The defendant declared bankruptcy while the matter was pending. BFA nonetheless pursued this action and ultimately recovered \$60 per worker and \$250 for each named plaintiff, which was a significant portion of the funds available for distribution after debt satisfaction.

The instant case is of more complexity than any of the three matters above, and it is obviously of significant import. My experience in supporting others in lead positions in equally complex, challenging matters for more than twenty years—not limited to *Clean Diesel*—has taught me sometimes hard but always memorable lessons in case management, organization, litigation strategy, perseverance and many intangible skills. I would be honored to serve the proposed class and the Court in any role the court deems appropriate.

Respectfully submitted,

Lesley E. Weaver, Esq.